

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SEA TRADE MARITIME CORPORATION and
GEORGE PETERS,

No. 09 Civ. 488 (BSJ) (HBP)

Plaintiffs,

-against-

STELIOS COUTSODONTIS, FRANCESCA
COUTSODONTIS, GENERAL MARITIME
ENTERPRISES CORPORATION, ATTICA
INTERNATIONAL NAVIGATION S.A., and
IASON SHIPPING LTD.,

**DECLARATION OF
NIKOLAOS A. KOTAKIS IN
SUPPORT OF MOTION TO
DISMISS AMENDED
COMPLAINT**

Defendants.

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I, NIKOLAOS A. KOTAKIS, pursuant to Section 1746 of Title 28 of the United States Code, hereby declare:

1. I am the Secretary and Treasurer for defendant GENERAL MARITIME ENTERPRISES CORPORATION (“General Maritime”). This affidavit is based upon my personal knowledge.
2. I respectfully submit this affidavit in support of General Maritime’s motion to dismiss the Amended Complaint filed by plaintiffs George Peters and Sea Trade Maritime Corporation on grounds that the Amended Complaint fails to state a cause of action and the Court lacks jurisdiction over General Maritime and the subject matter of this action.
3. General Maritime is a Liberian corporation with representative offices at 57 Akti Miaouli, Piraeus, Greece. General Maritime’s business consists of managing and operating bulk carriers on behalf of vessel owners.
4. General Maritime has never maintained any offices or other real property in the State



of New York, or anywhere else in the United States.

5. General Maritime has never maintained a telephone listing, answering service, or mailing address in the State of New York.

6. General Maritime has never had any officers, directors, or employees who reside in the State of New York.

7. General Maritime is not registered as a foreign corporation with the New York Secretary of State, and does not have a registered agent for service of process in New York.

8. General Maritime has never paid any taxes to the State of New York, nor to any county, municipality, or local governmental entity within the State of New York.

9. General Maritime has never (a) operated vessels; (b) advertised; (c) solicited; or (d) transacted business of any kind in the State of New York.

10. With respect to Mr. Coutsodontis, it is my understanding that plaintiffs allege that Mr. Coutsodontis undertook all the actions attributed to him in the Amended Complaint “on behalf of all the Defendants” or “for the benefit of the Defendants,” including General Maritime. In fact, at no time did General Maritime direct or request the actions attributed to Mr. Coutsodontis in the Amended Complaint.

11. Mr. Coutsodontis has no material ownership or management interests in General Maritime, and General Maritime neither controls nor is controlled by Mr. Coutsodontis. Mr. Coutsodontis is not currently and never has been a director, officer, or shareholder of General Maritime. The Board of Directors for General Maritime consists of: Mrs. Zafeira Th. Papangelopoulou, President; Mrs. Ekaterini N. Kotaki, Vice-President; and myself as Secretary/Treasurer. .

12. Mr. Coutsodontis has never transacted or conducted any business or engaged in any



purposeful activities on behalf, or for the benefit, of General Maritime within the State of New York.

13. If Mr. Coutsodontis transacted or conducted any business on behalf of General Maritime, or engaged in any purposeful activities, it was not with the knowledge and consent, or under the control, of the Board of Directors of General Maritime.

14. Mr. Coutsodontis' alleged acts in obtaining the arrest of the ATHENA were not undertaken with the knowledge and consent, or under the control, of the Board of Directors of General Maritime.

15. General Maritime has not benefited from any of the actions allegedly done on its behalf by Mr. Coutsodontis.

16. For all of these reasons, I respectfully submit that the Amended Complaint should be dismissed in its entirety as to General Maritime.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: February 4 , 2011



NIKOLAOS A. KOTAKIS
Secretary/Treasurer
General Maritime Enterprises Corporation